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The Red Book of the Exchequer. Edited by HUBERT HALL, F. S. A., of the Public Record Office. [Rolls Series.] (London: H. M. Stationery Office. 1896. Three vols., pp. ccclxxxix, 1366.)

THE number of "Chronicles and Memorials" announced for future publication at the end of the list of the Rolls Series has now dwindled down to the Year Books and Glanvill's *Tractatus*, and it is quite certain that the latter work will not be published. With the exception of an occasional Year Book, only calendars, lists, and indexes of records will henceforth appear in this series. While we fully appreciate the value of the calendars which have recently been published, we cannot help feeling some regret that the policy of the Master of the Rolls now excludes the printing of the records themselves. The Red Book might well form the first of a series of new publications, which should include such records as the Book of Aids and Kirkby's Quest, and a good edition of the Testa de Nevill.

Mr. Hall's edition of the Red Book will be heartily welcomed by students of English history. It is difficult within a limited space to indicate the scope, variety and value of its contents. There were many Red Books in the Middle Ages; to those enumerated by Mr. Hall we may add the two Red Books of Bristol, the two Red Books of Sandwich, the Red Book of the Earls of Ormond, and the Red Book of the Earls of Kildare. The earlier portion of the Red Book of the Exchequer was compiled about the year 1230 by Alexander of Swereford, and this part of the work seems to have been transcribed from an older exchequer register. Many additions were made from time to time, some of them as late as the sixteenth century. The Red Book contains charters, inquiries, statutes, ordinances, deeds, correspondence, genealogies, surveys, fiscal accounts and exchequer precedents. From one point of view it is a Feodary: it determines the liability of tenants as regards military service, scutage, or other assessments based on the knight's fee. Viewed from another aspect, it is a Cartulary, a register of surrenders of land to the crown, exchanges and quit-claims. It is also an Entry Book of choice state papers, diplomatic documents, statutes and other public acts of great historical value, most of which deal with questions of fiscal interest. Finally, it is a Precedent Book, containing oaths used at the exchequer, forms of writs, and a great variety of other information that might be useful in determining the privileges and liabilities of the officers of the exchequer. The material contained in the Red Book is so extensive that Mr. Hall has been able to print only the most important documents, together with a full table of contents of the manuscript volume.

The Red Book is of greatest historical importance as a feodary. More than two-thirds of the material printed in Mr. Hall's edition consists of records relating to feudal tenures, most of them belonging to the reigns of Henry II., Richard I. and John. This part of the work contains the celebrated "Cartæ," or certificates of knights' fees returned

by the barons in 1166, which Mr. Round has so skillfully turned to account; lists of persons subject to the payment of scutage (A. D. 1156-1252); inquisitions concerning knights' fees and honors, and a list of serjeanties, in the reign of John; lists of knights' fees under the first four Angevin kings; abstracts of Pipe Rolls (A. D. 1154-62); and lists of castle-ward services and rents in the reigns of Henry III. and Edward I. The study of these valuable records, most of which are now printed for the first time, ought to add much to our knowledge of the history of feudal tenures in England.

Volume III. contains many abstracts from the Red Book illustrating its value as a cartulary, an entry book or register of state papers, and a precedent book of the exchequer. Here we find the "Constitution of the Royal Household" (circa 1135); privileges and exemptions claimed by officers of the exchequer; a treatise of the fourteenth century on the mint and exchange; a glossary of Anglo-Saxon law terms, intended to elucidate the archaisms occurring in Anglo-Norman charters; statutes and ordinances regulating the internal economy of the exchequer and its relations to the king and to his subjects. These various documents throw much light on the machinery of English fiscal administration in the thirteenth and fourteenth centuries.

The most important records in Volume III. are the ordinances framed by Edward II. and his council in 1323-26. They introduce reforms which aim to improve the discipline of the exchequer officers, to increase the royal revenue, and to remove certain abuses which had aroused the discontent of the people. There are three separate ordinances of the years 1323, 1324, and 1326. The first is concerned with the internal administration of the exchequer; its business is defined; the hearing of pleas is regulated; the compilation of the Pipe Rolls is simplified and improved; the duties of the two remembrancers are carefully prescribed; and measures are taken to prevent flagrant abuses of accountants and to increase the staff of officers. This marks the first considerable enlargement of the exchequer since the time of Henry II. The main object of the ordinance of 1324 was "to ensure the due collection and audit of the royal revenue, as well as to put an end to the more glaring evils of purveyance," and to allay the popular discontent which the officers of the royal household had excited by resorting to exactions like prisage and preëmption. The ordinance of 1326 shows that the two previous reform measures had not accomplished their object; that the financial administration of the kingdom was still in a very unsatisfactory condition; that the sheriffs and other officers who had to render accounts at the exchequer were guilty of irregularities, dishonest practices and oppression, in connection with the collection of the royal revenue; and that the barons of the exchequer were often guilty of corruption. When the history of this reign is rewritten, these elaborate ordinances of 1323-26 will help to explain the movement which ended in the deposition of Edward II.

Many other interesting matters are discussed by Mr. Hall in his long

and learned preface. He gives us much information concerning feudal tenures and the history of the exchequer. To consider all the questions which he examines would require many pages. We can call attention to one topic only—his discussion of scutage. He deals in detail with the history of the various scutages of Henry II.'s reign, but we are particularly interested in his explanation of the nature of scutage. Briefly stated, his views on this subject are as follows: Before Henry II.'s time scutage was a fixed sum levied as a tax upon all the military tenants of a barony, and especially upon church tenants; it is not yet an assessment on the knight's fee. Early in the reign of Henry II. scutage in its later and proper sense is introduced. It is not, however, as most writers assert, a commutation of the personal service of tenants-in-chief, but a tax levied by the lord on his tenants (sub-tenants of the crown) by virtue of the royal writ *de scutagio habendo*. The tenant-in-chief must perform his military service, "the value of which far exceeded in all times the average value of scutage." If he does not perform his service, he must pay a heavy fine to the crown. If he renders personal service or if he pays a fine, he may or may not obtain permission from the king to recoup himself by the levy of a scutage on his tenants. Mr. Hall then adds that "the crown eventually received this scutage money either at the hands of the lords or by those of the sheriff" (page clix). It is difficult to reconcile this assertion with statements that precede and follow it; for example, on pages clx. and cxcii. Mr. Hall says that the scutage would go to the lord unless it were assigned to the crown by the lord. This part of the preface was doubtless printed before the publication of Pollock and Maitland's *History of English Law*. Both works agree in rejecting the old view, that scutage was a commutation of the personal service of the tenant-in-chief, and in maintaining that scutage was often collected by the crown from the under-tenants even when the lord had performed his service. Both works fail, however, to make clear the relations of these under-tenants to their lords and to the crown as regards the payment of scutage. It is evident that the last word on this subject has not yet been said.

We fear that we have not done justice to Mr. Hall in this meagre outline of the contents of his work. Historical students must feel under great obligations to him for the task that he has so well achieved. The careful editing of such a collection of records requires an enormous amount of painstaking labor, which few persons are equipped to perform or have the courage to undertake.

CHARLES GROSS.

The National Movement in the Reign of Henry III., and its Culmination in the Barons' War. By OLIVER H. RICHARDSON, Professor of History in Drury College. (New York: The Macmillan Company. 1897. Pp. qiv, 235.)

THE political history of the reign of Henry III. has been often told; and the vicissitudes of the struggle for the charters have been described